

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
NEW YORK DIVISION OF JUDGES**

**SULPHUR SPRINGS VALLEY ELECTRIC
COOPERATIVE, INC.**

And

**Cases 28-CA-217779
28-CA-218696**

DAVID SCHMIDT, an Individual

**ORDER GRANTING GENERAL COUNSEL'S MOTION TO STRIKE THE
RESPONDENT'S REQUEST FOR RECONSIDERATION**

On September 27, 2018, I modified my initial order on the counsel for the General's Counsel's subpoena. I noted in my September 27 order that I had considered all the reconsideration motions, including the Respondent's motion for reconsideration and that my order modified only the time frame for production of the documents in the subpoena.

The Respondent's request to limit the scope of the subpoena to a particular facility is untimely and would not provide the employee data necessary to show if there are appropriate comparators in more than one facility.

To be clear now, the Respondent's motion for reconsideration is denied.

Dated: New York, New York,
September 28, 2018

Kenneth W. Chu

Kenneth W. Chu
Associate Chief Administrative Law Judge